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7 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 vs.

11 ROBERT EUGENE RAND,

12 Defendant.

Case No. 3:16-cr-0029-MMD-WGC

JOINT STIPULATION TO CONTINUE
DEADLINE TO FILE GOVERNMENT'S
RESPONSE IN OPPOSITION TO
DEFENDANT'S MOTION AND
MEMORANDUM IN SUPPORT OF
REDUCTION OF SENTENCE [ECF No.
792] (First Request)

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14 IT IS HEREBY STIPULATED AND AGREED, by and between CHRISTOPHER
15 CHIOU, Acting United States Attorney, and PETER S. LEVITT, Assistant United States
16 Attorney, counsel for the United States of America; and BRANDON SAMPLE, Esq., counsel
17 for Defendant ROBERT EUGENE RAND, that the government's response to Rand's Motion
18 and Memorandum in Support of Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(1)(A)
19 (ECF No. 792) ("Def. Mot.") be continued from June 21, 2021 to July 6, 2021.

20 This stipulation is entered into for the following reasons:

21 1. Rand is currently incarcerated and serving his 120-month custodial sentence at
22 Lompoc USP in California. His projected release date is November 4, 2024. *See* Def. Mot. at 3;
23 *see also* Judgment in a Criminal Case (ECF No. 668) (concurrent custodial sentences of 96 and
24 120 months, for involuntary manslaughter and unlawful distribution of opioids).

1 2. On June 14, 2021, Rand, through counsel, filed the instant motion under Section
2 3582(c)(1)(A), seeking a reduction of his sentence based on compassionate release.
3 The government's response in opposition is currently due on June 21, 2121. ECF No. 792.

4 3. The government requires additional time to review Rand's motion and
5 memorandum. In particular, the government needs to review Rand's medical records and his
6 factual and legal arguments, and to fashion a response in opposition.

7 4. On June 15, 2021, the undersigned spoke with Rand's attorney, Brandon Sample,
8 Esq., who advised there was no objection to the proposed continuance of the government's
9 deadline to respond.

10 5. Rand will not be prejudiced by the brief continuance requested here.

11 6. This is the first request for a continuance of the government's deadline to file a
12 response to ECF No. 792.

13 WHEREFORE, the parties respectfully request that this Honorable Court enter an Order
14 that grants this Joint Stipulation.

15 DATED this 16th day of June, 2021.

16 Respectfully submitted,

17 CHRISTOPHER CHIOU
18 Acting United States Attorney

19 /s/ Peter S. Levitt
20 PETER S. LEVITT
 Assistant United States Attorney

21 /s/ Brandon Sample, Esq.
22 BRANDON SAMPLE, ESQ.
23 Attorney for Robert Rand
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Case No. 3:16-cr-0029-MMD-WGC-1

ORDER

ROBERT EUGENE RAND,

Defendant.

6. This is the first request for a continuance of the government's deadline to file a response to ECF No. 792.

The ends of justice served by granting said continuance are in the best interest of this Court, the parties, and the public, and the failure to grant said continuance would be likely to

1 result in a miscarriage of justice and would deny the parties sufficient time and the opportunity
2 to prepare their pleadings, taking into account the exercise of due diligence.

3 **ORDER**

4 IT IS THEREFORE ORDERED that the government's response to Defendant Robert
5 Eugene Rand's Motion and Memorandum in Support of Reduction of Sentence Pursuant to
6 18 U.S.C. § 3582(c)(1)(A) (ECF No. 792), is due not later than July 6, 2021.

7 DATED 17th day of June, 2021.

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9 THE HONORABLE MIRANDA M. DU
10 CHIEF UNITED STATES DISTRICT JUDGE
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